

ORDINANCE NUMBER 3928-2016

AN ORDINANCE AMENDING CHAPTER VI (SIGN STANDARDS) OF THE LAND DEVELOPMENT CODE FOR THE CITY OF WOODSTOCK, GEORGIA.

Whereas, the City of Woodstock, Georgia (hereinafter sometimes referred to as the “City”) is a municipality duly formed and existing pursuant to Georgia law; and

Whereas, the 1983 Constitution of the State of Georgia provides for the self government of municipalities without the necessity of action by the General Assembly¹; and

Whereas, the City of Woodstock, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general laws or which are expressly allowed by general laws, and which are not inconsistent with the Constitution or any charter provision applicable thereto²; and

Whereas, the governing body of the City has determined that it is in the best interest of the City and its citizens to adopt the following; and

NOW THEREFORE BE IT RESOLVED, THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA HEREBY ORDAINS:

Section 1. The existing Chapter VI of the Land Development Ordinance of the City of Woodstock is hereby deleted and replaced by a new Chapter VI (Sign Standards) which is attached hereto as Exhibit “A” and made a part hereof by reference.

Section 2. Chapter VI of the Land Development Code, as amended, is hereby repealed in its entirety.

Section 3. Where other provisions of the Land Development Code impose standards and conditions that are at variance with the provisions of this Chapter, the most stringent regulations shall control.

Section 4. Should any provisions of this Ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or

¹ Ga. Const., 1983, Article IX, Section II, Paragraph II provides in pertinent part as follows:

“The General Assembly may provide by law for the self government of municipalities and to that end is expressly given the authority to delegate its power so that matters pertaining to the municipalities may be dealt with without the necessity of action by the General Assembly.”

²O.C.G.A. § 36-35-3 (a) provides as follows:

“(a) The governing authority of each municipal corporation shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto. Any such charter provision shall remain in force and effect until amended or repealed as provided in subsection (b) of this Code section. This Code section, however, shall not restrict the authority of the General Assembly, by general law, to define this home rule power further or to broaden, limit, or otherwise regulate the exercise thereof. The General Assembly shall not pass any local law to repeal, modify or supersede any action taken by a municipal governing authority under this Code section, except as authorized under Code Section 36-35-6.”

any provision thereof other than the provisions specifically declare to be invalid. The Mayor and Counsel hereby declares that it would have passed this Ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared illegal, invalid or unconstitutional.

Section 5. This Ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE CITY OF WOODSTOCK, GEORGIA, THIS 23 DAY OF May, 2016.

1st Reading: 5/16/16 2nd Reading: 5/23/16



DONNIE HENRIQUES, MAYOR



RHONDA L. PEZZELLO, CLERK

Approved as to form:

approved

ELDON L. BASHAM, CITY ATTORNEY

EXHIBIT A

Chapter VI - SIGN STANDARDS

ARTICLE I. - GENERAL PROVISIONS

6.1.1. - Findings, Purpose and Intent.

- (a) The City of Woodstock finds that Signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, Signs are entitled to the protection of the law. In the absence of regulation, however, the number of Signs tends to proliferate, with property owners desiring ever increasing numbers and sizes of Signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing Sign owners for visibility of their Signs contributes to safety hazards for both vehicles and pedestrians and undermines the Sign owners' original purpose of presenting a clear message of its idea or identification of its premises.
- (b) Regulation of the size, height, number and spacing of Signs is necessary to protect the public safety, to assure compatibility of Signs with surrounding land uses, to enhance the business and economy of the City, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the City's citizens.
- (c) The purposes of this Chapter are to encourage the effective use of Signs as a means of communication within the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of Signs on nearby public and private property; to enable the fair and consistent enforcement of this Chapter.

6.1.2. - Interpretation Generally.

Words and phrases used in this Chapter shall have the meaning set forth in this Chapter. Words and phrases not defined by this Chapter, but defined in other City ordinances, shall be given the meanings set forth in such ordinances. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Chapter, article and section headings or captions are for reference only and shall not be used in the interpretation of this Chapter.

Any Sign permitted under this Chapter to contain commercial expression may also include noncommercial expression.

6.1.3. - Definitions.

For the purposes of this Chapter and other Sign regulations contained within the Land Development Ordinance, the following terms, phrases, words and their derivations shall have the meanings given in Chapter II.

6.1.4. - Authority for Provisions.

This Chapter is enacted pursuant to Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, the Charter of the City of Woodstock, the general police powers of Woodstock and other authority provided by federal, state or local laws applicable hereto.

6.1.5. - Applicability.

Signs shall be erected, placed, established, painted, created and maintained in accordance with the physical standards outlined in this Chapter and other applicable provisions of the Land Development Code.

ARTICLE II. - PROVISIONS APPLICABLE IN ALL ZONING DISTRICTS

6.2.1. - Computation of Sign Area.

- (a) Generally. Except as otherwise provided in this Section 6.2.1, the area of a Sign Face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, color, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the Sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets other regulations of the City and is clearly incidental to the display itself.
- (b) Area of Multi-Faced Signs. The sign area of Signs with more than one (1) Sign Face shall be computed by adding together the area of all Sign Faces visible from any one (1) point. When two (2) Sign Faces are placed back to back, so that both faces are parallel, and when such Sign Faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of the larger of the two (2) faces.
- (c) Area of Monument Signs. The computation of the sign area of a Monument Sign shall include the entire monument structure, as measured from the top to ground and side to side, upon which any words, letters, figures, symbols, logos, fixtures, colors or other design elements occur.

6.2.2. - Signs Allowed Without Permit.

The following Signs are allowed on property without obtaining a permit and with the permission of the property owners or the property owner's agent and are not included in the maximum allowable signage on a parcel:

- (1) Address numerals not exceeding four (4) inches in height in residential districts or eight (8) inches in height in commercial and industrial districts.
- (2) Flags, provided that no Flag shall exceed twenty-four (24) square feet in area in any residential zone or sixty (60) square feet in area in any commercial or industrial zone and shall not be flown from a pole, the top of which is higher than twenty-five (25) feet in any residential zone or forty (40) feet in height in any commercial or industrial zone. The number of Flags allowed shall not exceed four (4) per parcel. Any Flag not meeting any one (1) or more of these standards shall be considered a banner and shall be subject to regulation as such.

- (3) Any Sign/traffic control device erected by or at the direction of the State of Georgia, any county or any municipality that is necessary to regulate, warn or guide traffic.

6.2.3. - Mixed Use Districts.

Those properties zoned as mixed use under the City zoning regulations shall follow residential district standards for residentially used portions of the development and commercial standards for commercial portions of the development. Where a mix of uses occurs within a single building, such as residential over office or storefront use, the commercial standards of this Chapter shall apply.

6.2.4. - Private Signs Erected on Public Property.

- (a) No person shall erect a Sign on public property other than the governmental entity responsible for such property or public utility companies or contractors occupying or working on public property pursuant to governmental contract or franchise. Such public utility companies and contractors occupying or working on public property shall be limited to temporary traffic control signage meeting state specifications for on-going work in street rights-of-way and necessary signage to identify fixtures for public safety response in the event of emergency.
- (b) Any Sign erected or installed on public property in violation of this section shall be forfeited to the public and subject to confiscation and removal by the City without notice. In addition to other remedies provided by this Chapter, the City shall have the right to recover from the owner or person posting such a Sign the full cost of removal and disposal of the Sign.

6.2.5. - Prohibited Signs.

- (a) Roof Signs.
- (b) Signs displaying any obscene message as obscenity is defined by O.C.G.A. § 16-12-80.
- (c) No person shall use a vehicle or trailer in such manner as to attempt to circumvent the regulations of this Chapter. Vehicles driven and parked within the City limits which are regularly used in the course of business or that are driven to and from a place of business may contain identifying information on the vehicle and may be parked in lots serving the identified business, provided that such vehicle is regularly used for transportation unrelated to signage. Vehicles parked on property located in the City for indefinite periods of time (or moved temporarily and then returned to the same or similar location) and not regularly used in the course of business that contain identifying information shall be considered portable Signs. The use of vehicles to travel the streets and highways conveying billboards or Signs as displays to the traveling public are specifically prohibited.
- (d) Electronic and LED Signs.

See also Section 20.204 of the Land Development Ordinance.

6.2.6. - Owner's Permission Required for Erection of Signs.

No Sign shall be placed on any property without first obtaining the written consent of the owner or owner's agent of the property.

6.2.7. - Compliance With Technical Codes and Zoning.

- (a) All Signs hereafter erected, replaced, reconstructed, altered, relocated or modified within the City shall conform with the requirements of the building and electric codes adopted by the City. Where the provisions of the building or electrical code and this Chapter conflict or overlap, the most stringent requirement shall prevail and be controlling.
- (b) All Signs hereafter erected, replaced, reconstructed, repaired, altered or relocated within the City shall conform to the zoning ordinance of the City. In the event of conflict between the provisions of this Chapter and the zoning ordinance, the most stringent requirement shall prevail and be controlling.

6.2.8. - Maintenance.

- (a) All Signs erected or posted in the City shall be maintained in good structural condition, in compliance with all building and electrical codes and in conformance with this Chapter, at all times. Except for Banners, Flags, Sandwich Signs (where permitted) and those Signs that may be erected without permit, all Signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or other structure by direct attachment to a rigid wall, frame or structure.
- (b) All Signs and the premises surrounding them shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, free and clear of all obnoxious substances, rubbish, weeds and overgrown grass.

ARTICLE III. - PROVISIONS APPLICABLE TO SINGLE-FAMILY RESIDENTIAL PROPERTIES

6.3.1. - Applicability.

The provisions of this Article apply to all properties zoned single-family residential, properties used for single-family residential occupancy, and townhomes, as well as properties in mixed use or overlay districts designed for single-family residential occupancy. Institutional uses located in single-family residential zones and multi-family residential uses are governed by Article IV, rather than this Article.

6.3.2. - Setback Requirements.

Signs must be setback a minimum of ten (10) feet from the pavement edge and be erected in such a manner as to not obstruct the view of motorists or pedestrians.

6.3.3. - Common Entrance Signs.

- (a) The location and size of the structure upon which the Common Entrance Sign will be mounted is subject to approval by the Community Development Director, who will approve such structure upon the dual criteria of construction safety and traffic safety.

- (b) The maximum sign area of a Common Entrance Sign is thirty-two (32) square feet.
- (c) Banner may be allowed when attached to a common entrance sign in accordance with the regulations outlined in Section 20.305 of the Land Development Ordinance.

ARTICLE IV. - PROVISIONS APPLICABLE TO COMMERCIAL, INSTITUTIONAL, INDUSTRIAL AND MULTIFAMILY PROPERTIES.

6.4.1. - Applicability.

The provisions of this Article apply to all properties zoned for commercial, institutional, industrial and multi-family use, as well as properties in mixed use or overlay districts designed for such uses.

6.4.2. - Street Numbering to be Displayed.

- (a) Freestanding Signs located within one hundred (100) feet of a public or private right-of-way shall display the street address of the property. Within a commercial center where multiple addresses exist, the highest and lowest street address numbers shall be identified. This section shall not apply to any Freestanding Sign where the Sign is located on a second street frontage for property which has more than one (1) street frontage.
- (b) Street address numbers shall be of contrasting colors against the background. Numbers shall be a minimum of eight (8) inches in height except for properties designated within the downtown zoning district. Upon property designated within the downtown zoning district, numbers shall be a minimum of four (4) inches and a maximum of eight (8) inches in height. In the Downtown District, the street numbers may be placed on an awning, the building itself or any other highly visible place. Numbers shall be visible from both directions of travel along the street.

6.4.3. - Restrictions on Future Pole Signs.

- (a) No new Pole Sign shall be erected.
- (b) No existing Pole Sign shall be extended in height.

6.4.4. – Height, Size and Number Limits for Freestanding Signs.

All Freestanding Signs shall be Monument Signs, except as provided Article V and in Chapter XXI of the Land Development Ordinance.

- (a) Sign Area for Monument Signs shall not exceed:
 - (1) One hundred twenty (120) square feet for malls, shopping centers, office parks, industrial parks and other shared commercial and industrial uses.
 - (2) Eighty (80) square feet for single uses on a parcel, including single institutional uses.
- (b) Monument Signs shall be limited to one (1) Sign per Parcel per Street Frontage. Where a Parcel has Street Frontage on more than one (1) street, a Freestanding Sign shall be allowed on each Street Frontage.

- (c) No Monument Sign shall be erected to a height greater than twelve (12) feet for multiple use properties or eight (8) feet for properties in single use.
- (d) No Monument Sign base shall be constructed of vinyl, EIFS, metal, or wood. Monument Signs shall be faced with decorative masonry or cementitious materials.

6.4.5. - Setback Requirements for Freestanding Signs.

- (a) Freestanding Signs shall be located outside of any public right-of-way and be setback no less than fifteen (15) feet from the pavement edge and at least fifty (50) feet from any Parcel designed or intended for single-family residential use.
- (b) No Freestanding Sign shall be located within thirty (30) feet of the intersection of street right-of-way lines extended.

6.4.6. - Awning Signs.

Awning Signs shall not project above the parapet wall and shall not project beyond the building face by more than four (4) feet.

6.4.7. - Projecting Signs.

Projecting Signs shall be supported by overhead supports and shall leave a minimum of eight (8) feet of clearance over any sidewalk or walkway. Supports for Projecting Signs shall be set at a perpendicular angle to the building and parallel to the plane of the ground.

6.4.8. - Changeable Copy Signs.

- (a) Any Sign on which the message changes more than eight (8) times per day shall be considered an Animated Sign and not a Changeable Copy Sign for purposes of this Chapter. Each rotation or change among two (2) or more messages shall be considered a change of message subject to the eight (8) change per day limitation; provided that tri-vision billboards meeting the definitions of this chapter are not considered Changeable Copy Signs and are subject to the regulations of Section 6.4.6
- (b) Changeable Copy Signs are permitted as an integral part of freestanding and Wall Signs in commercial, office and industrial zoning districts, subject to the following limitations:
 - (1) The Changeable Copy portion of the Sign shall not exceed twenty (20) percent of the overall maximum sign area of the Sign to which it is attached.
 - (2) The total sign area of the combined Sign (Freestanding or Wall Sign plus changeable copy board) shall not exceed the overall size limitations imposed by this chapter.
 - (3) Changeable Copy Signs erected in combination with Freestanding or Wall Signs must be on the same pole, post or standard or within the same frame as the principle Sign.
 - (4) Electronic and LED displays are specifically prohibited as Changeable Copy Signs.
 - (5) No Changeable Copy Sign shall be programmed or utilized in such a manner as to flash or simulate movement.

6.4.9. - Signs on Windows and Doors.

- (a) Signs may be painted on or affixed to glass surfaces of windows and doors. Such Signs are subject to permit requirements as other signage. Such Signs shall leave at least seventy (70) percent of the glass unobscured.
- (b) Temporary Signs may be placed inside premises in non-residential areas without first securing a permit, provided such window Signs leave at least fifty (50) percent of the window glass unobscured. Any such temporary Sign shall be maintained in good condition, free from tears, tatters, or discoloration. Torn, soiled or out of date temporary Signs in windows shall be removed.

6.4.10. - Incidental Signs.

Incidental Signs conforming to the definition and standards of this Chapter may be erected on private property. No more than two (2) such Signs shall be located at a driveway entrance and shall be placed in such a manner as to not constitute a traffic hazard. Each Parcel is limited to a maximum of four (4) Incidental Signs.

6.4.11. - Marquee Signs.

Marquee Signs are allowed only in conjunction with indoor movie theaters and live performance theaters. Marquee Signs shall be attached to the outside wall of the affected building. Marquee Signs are subject to the size and location restrictions of building Signs.

6.4.12. - Drive-thru Windows.

Any parcel containing a restaurant where food is delivered at a drive-thru delivery point other than on the front side of the building is permitted two (2) additional Freestanding Signs, subject to the following restrictions:

- (1) Only two (2) Signs serving the drive-thru delivery system shall be permitted.
- (2) The Signs are restricted to the side or rear yard of the restaurant.
- (3) No such Sign shall exceed forty-five (45) square feet in Sign area nor six (6) feet in height.
- (4) The stacking lane (drive-thru lane) shall begin a minimum of eighty (80) feet from the Sign.
- (5) Lettering on the Sign may not be legible from any distance off the Parcel for which it is approved.

6.4.13. - Building Signs.

- (a) Wall Signs shall not project more than eighteen (18) inches from the surface upon which they are mounted.
- (b) The upper edge of a Wall Sign mounted on a mansard roof may project more than eighteen (18) inches so long as the Sign is perpendicular to the ground.
- (c) Where a building houses more than one (1) business, Building Signs shall be limited in number to one (1) Sign per business on each wall, with a limit of two (2) Building Signs per business per building. The Sign area of any one (1) Building Sign shall be no more than ten (10) percent of the total store frontage, not to exceed one hundred sixty (160) square feet.

- (d) Where a building houses only one (1) business, a maximum of two (2) Building Signs may be placed on one (1) wall, but no more than four (4) Building Signs may be placed on the entire building. The Sign area of any one (1) Building Sign shall be a maximum of one hundred sixty (160) square feet or ten (10) percent of the area of the wall on which they are located, whichever is less.
- (e) Internally Illuminated Building Signs are limited to channel letter style signage only, except that a graphic representation may be included as part of an Internal Illuminated Building Sign, provided the graphic representation does not exceed thirty (30) percent of the square footage of the overall Sign of which it is a part. Internally Illuminated Awning and Canopy Signs are prohibited.

6.4.14. - Signs on Light Poles.

- (a) Within areas of the LI, GC and any FBC zoning classifications, Signs or Banners may be permitted to be placed on light poles, such Signs or Banners shall be permitted on no more than 50% of light poles on each Parcel.
- (b) Light pole Signs or Banners shall not be located within twenty (20) feet of the front property line of a Parcel.
- (c) Each light pole shall be limited to two (2) back to back Sign faces, no larger than ten (10) square feet in size.
- (d) Signs or Banners shall be constructed and maintained with durable materials, meet required wind load regulations and maintain a minimum clearance from the ground of six (6) feet. Signs or Banners shall be placed on the light pole via a permanent support structure meant for the placement of a Sign or Banner.
- (e) Both the owner of any given light pole and the owner of the property upon which the light pole is located must give their consent for the installation of any Signs or Banners on light poles.

6.4.15. - Streetlight Banners.

- (a) Within areas of the LI, GC and any FBC zoning classifications, Banners may be permitted to be placed on Streetlights located within rights-of-way.
- (b) Banners shall be made of flexible material, be no larger than ten (10) square feet in size, meet required wind load regulations and maintain a minimum clearance from the ground of eight (8) feet.
- (c) Both the owner of any given Streetlight and the owner of the property upon which the Streetlight is located must give their consent for the installation of any Banners on said Streetlight.

ARTICLE V. - ADDITIONAL PROVISIONS APPLICABLE TO THE DOWNTOWN DISTRICT

6.5.1. - Applicability.

- (a) This Article is applicable to areas that are zoned Downtown District.
- (b) The requirements of this Article supersede other ordinances, codes and laws of the City of Woodstock, Georgia only so far as they exceed the requirements of those documents or as specifically stated herein. Compliance with these guidelines does not negate any responsibility to comply with other ordinances and codes not superseded by this Article, including all provisions of this chapter not explicitly revised by this Article.

- (c) Unless specifically identified in sub-area regulations or allowed as of right without permit, the types, number and size of Signs permitted within the Downtown District shall be as indicated in the "Downtown Sign Table."

6.5.2. - Downtown Sign Table.

P = Permitted X = Not Permitted	DT-CBD Subarea	DT-CMU Subarea	DT-GC Subarea	DT-RO Subarea	DT-MR-A and DT-MR-B Subareas	DT-LR and DT-VLR Subareas	DT-HO Historic Zone
Building Signs							
Canopy Signs (see 6.5.3)	P	P	P	P	X	X	X
Marquee Signs (see 6.5.3)	P	P	P	X	X	X	X
Projecting Signs (see 6.5.3)	P	P	P	X	X	X	X
Shingle Signs (see 6.5.3)	P	P	P	P	P	X	P
Wall Signs (see 6.5.3)	P	P	P	P	P	X	P
Freestanding Signs							
Common Entrance Sign (limit 1, max. area 32 sf, max. height 8 ft)	X	X	X	X	P	P	P
Nostalgic Sign (limit 1, max. area 16 sf, max. height 8 ft)	P	P	P	P	X	X	P
Monument Sign (limit 1 per parcel, max. area 80 sf, max. height 8 ft)	P*	P*	P	P*	X	X	X

Outdoor Menu Board (limit 1, max. 16 sf)	P	P	P	X	X	X	X
Sandwich Board (limit 1, max. 30"x 48")	P	X	X	P	P	X	P
Sign Lighting and Materials General Requirements							
Internally Illuminated	P	P	P	X	X	X	X
Externally Illuminated	P	P	P	P	P	P	P
Materials Regulated (see 6.5.5)	Y	N	N	Y	Y	Y	Y

* Monument Signs are permitted on a street frontage where an existing building facade as of July 11, 2006 is setback more than twenty (20) feet from the property line. Monument Signs are limited to a maximum sign area of thirty-two (32) square feet and are not to exceed five (5) feet in height. Monument Signs shall be set back at least ten (10) feet from the sidewalk clear zone.

6.5.3. - Building Sign Regulations.

- (a) Each business shall be permitted a maximum of three (3) Building Signs. A Building Sign shall be allowed on any building frontage facing a street, alley or parking area.
- (b) No more than two (2) Building Signs shall be placed on any one (1) frontage, however when a building faces a street at least one (1) Building Sign is required on that frontage.
- (c) The maximum square footage of each Building Sign shall be calculated by multiplying the linear frontage of the building by one and one-half (1½), with a maximum square footage per Sign of thirty-two (32) square feet.
- (d) Canopy Signs shall not be Internally Illuminated. When a Canopy Sign is used in conjunction with a Wall Sign, the Canopy Sign shall not be larger than six (6) square feet.
- (e) Marquee Signs are permitted only in conjunction with indoor movie theatres or a live performance theater. The size of the Marquee Sign shall be no larger than eight (8) square feet for each screen built or a maximum of one hundred sixty (160) square feet.
- (f) Projecting Signs shall be at least eight (8) feet above the sidewalk area, public right-of-way or parking area and at least fourteen (14) feet above an alley it faces. Such Sign shall not extend more than four (4) feet from the building wall or be located less than one (1) foot from the street curb line.
- (g) Shingle Sign shall mean a type of Projecting Sign that reads on two (2) sides and is located between eight (8) and twelve (12) feet above the sidewalk area and affixed or installed perpendicularly to a

building wall in such a manner to read on both sides and perpendicularly to such wall. Each business shall be permitted one (1) Shingle Sign which shall not exceed ten (10) square feet. A Shingle Sign is considered independent of and additional to the number of Building Signs permitted.

- (h) Wall Signs shall be located at least eight (8) feet above grade and shall not project more than eighteen (18) inches from the surface upon which they are mounted; provided, the upper edge of a Wall Sign mounted to a Mansard Roof may project more than eighteen (18) inches so long as the Sign is perpendicular to the ground.
- (i) Building markers shall be permitted when cut into any masonry surface or when constructed of bronze or other incombustible materials. Maximum size allowed is eight (8) square feet.

6.5.4. - Freestanding Sign Regulations.

- (a) Freestanding Signs shall be located entirely on private property and a minimum of ten (10) feet from the sidewalk clear zone.
- (b) No Sign shall be placed on the surface of the sidewalk clear zone and in addition, no Freestanding Sign shall be placed above the sidewalk clear zone.
- (c) Nostalgic Signs shall not be considered a Pole Sign. Nostalgic Signs shall mean Signs which are historic in style including hanging Signs and/or wooden Signs supported by two (2) posts. Nostalgic Sign materials are limited to metal and wood and shall not be internally illuminated.
- (d) Outdoor menu boards are allowed on parcels approved for restaurants with drive-thru windows and under the following conditions:
 - (1) Only one (1) outdoor menu board shall be permitted per business.
 - (2) Display surface area shall not exceed sixteen (16) square feet.
 - (3) Menu boards shall not be visible from Main Street, Towne Lake Parkway, or Arnold Mill Road.
- (e) A Sandwich Sign or Portable Swinger Sign may be no larger than thirty inches by forty-eight inches (30" × 48") on each side and must be placed on the property where the business is located in the sidewalk landscape zone or the sidewalk supplemental zone as long as it does not impede pedestrian traffic and is located a minimum of thirty (30) inches from the face of the curb and fifteen (15) feet from point of intersection of street curb lines. Each business shall be permitted one (1) Sandwich Sign which shall be removed at the end of each business day. Where a sidewalk landscape zone does not exist per the requirements established in the Downtown District standards, a Sandwich Sign may be placed within three (3) feet of the facade of the building but must meet all other requirements contained in this subsection (e).

6.5.5. - Sign Material Regulations.

When regulated by Section 6.5.2, Signs shall be of quality design, construction, color and materials consistent with the design of the building and/or development. This includes glass, masonry, wood, natural stone, ornamental metalwork, and ceramics. Paint and metal gilt work are also acceptable. "Faux" materials such as "Sign foam," vinyl and plastic are prohibited. Signs painted on cloth awnings are permissible. Mixed media are permitted, including reverse illuminated letters and etched or cutout solid materials, illuminated from behind.

6.5.6. - Streetlight Banners.

Within areas of the DT-CBD and DT-RO zoning classifications, Banners may be permitted to be placed on Streetlights located within rights-of-way. The Banners shall be made of flexible material, be no larger than eight (8) square feet in size, meet required wind load regulations and maintain a minimum clearance from the ground of eight (8) feet. Both the owner of any given Streetlight and the owner of the property upon which the Streetlight is located must give their consent for the installation of any Banners on said Streetlight.

ARTICLE VII. - ADMINISTRATION AND ENFORCEMENT

6.7.1. - Permits; Procedures.

- (a) Unless specifically exempted from obtaining a Permit under provisions of this Chapter, no person shall erect, construct, replace, relocate or structurally alter any Sign within the City without first obtaining a Sign Permit from the Department of Community Development. No Permit shall be required to repaint or change the lettering of an existing conforming Sign, provided that no change of ownership of the entity displaying the message thereon has been made.
- (b) Applications for Permits shall be made upon forms provided by the City and shall contain or have attached thereto the following information:
 - (1) Name, address and telephone number of the applicant.
 - (2) Tax Parcel ID and address of building, structure, or parcel to which or upon which the Sign is to be attached or erected. In the absence of a street address, a method of location that is acceptable to the Community Development Director shall be used.
 - (3) Two (2) accurate drawings showing the position of the Sign in relation to nearby buildings or structures, including other Signs, driveways, parking areas, and any other limiting site features (survey not required).
 - (4) One (1) accurate drawing to scale of the plans, specifications and method of construction and attachment of the Sign to the Building or ground. The drawing shall be an engineered structural drawing designed to the International Building Code and shall specifically include the size of the Sign area, overall height of the Sign, location of the Sign installation and its relation to existing rights-of-way and all driveways, a site distance diagram, and, if a Pole Sign or Monument Sign, any protective devices or landscaping around the base of the Sign.
 - (5) Name, address, telephone number and business license number of the person erecting the Sign.
 - (6) Written consent of the owner or lessor of the Building or land to which or upon which the Sign is to be erected.
 - (7) The location and size of all other Signs on the parcel upon which the Sign is to be erected.
 - (8) The size of the Parcel on which the Sign is to be erected and the length of the street frontage for the street to which the Sign is oriented.
 - (9) If the Sign is to be lighted, an application for electrical permit meeting all standards of the City's electrical code.
 - (10) The value of the Sign.

- (11) Such other information as the City shall require to show full compliance with this and other ordinances of the City.
- (c) No review of the specific content of any proposed Sign shall be made or required.
 - (d) For Signs shared by more than one (1) person or entity, the property owner or sign contractor shall secure a permit for the Sign structure and the property owner shall be responsible for the maintenance of the structure as well as for removal of individual Sign panels identifying uses which no longer exist within the Building or Buildings covered by the shared Sign. In addition to the Permit required for a shared Sign structure, a separate Permit shall be required for each entity shown on the Sign which shall be obtained by the owner, his tenant, an authorized agent, or the Sign contractor.
 - (e) Each application for Permit shall be accompanied by the applicable permit fees. Fees for Permits shall be as fixed from time to time by resolution of the Mayor and Council.
 - (f) Upon the filing of an application for a Permit, the Community Development Director or his designee shall examine all plans and specifications submitted, including electrical wiring and connections, and the premises upon which the Sign is proposed to be erected. The plans shall be reviewed for zoning compliance by the Department of Community Development and review by other officers and employees of the City may be obtained on an as-needed basis. Such review shall be completed within thirty (30) business days of submission of a completed Sign application. If it appears from review of the Permit application and inspection of the site that the proposed Sign is in compliance with the requirements of this chapter and all other ordinances and laws of the City, the Community Development Director shall issue a Permit upon payment of Permit fees no later than thirty (30) business days from receipt of the completed application.
 - (g) The City shall deny Permits to applicants who submit applications for Signs that do not comply with the provisions of this Chapter, are incomplete, or contain any material false statements. Violation of any provision of this Chapter will be grounds for terminating a Permit granted by the City for the erection of a Sign. Should it be determined that a Sign Permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a Permit has been erroneously issued in violation of this Chapter, the Community Development Director shall revoke the Permit. Should the Community Development Director deny a permit, the reasons for denial shall be stated in writing and mailed by certified mail, return receipt requested, to the address on the Permit application on or before thirty (30) business days after the City received the completed application. Alternatively, the City may personally serve the Sign applicant with a copy of the written notice of denial within thirty (30) business days after the City's receipt of the application. The failure of the City to act on any completed Sign application within thirty (30) days after the City's receipt of the application shall be deemed a denial of said application. Any applicable denied and later resubmitted shall be deemed to have been submitted on the date of resubmission, instead of the date of the original submission.
 - (h) No Permit shall be denied or revoked, except for due cause as hereinafter defined, and after the applicant is given ten (10) days written notice containing a statement of the reasons for the denial of the permit application or the revocation of a permit. "Due cause" is the violation of any provision of this Chapter, or other applicable ordinances, state or federal law regulating Signs, or the submission of an incomplete application or an application containing false material statements.
 - (i) An individual whose Permit application has been denied or a permittee whose Permit has been revoked may appeal the decision to the Mayor and City Council, provided such appellant files a

written notice of appeal with the City Manager within ten (10) business days of the Community Development Director's notice. Such appeal shall be considered by the Mayor and City Council at the next meeting held after the City's receipt of the written notice of appeal, provided that such notice of appeal is received a minimum of seven (7) business days before the next meeting. Appeal notices received within seven (7) days of a scheduled City Council meeting shall be heard at the next available meeting more than seven (7) days following receipt of appeal. The Mayor and City Council shall issue a written decision to the applicant no later than thirty (30) days following the close of the appeal hearing. Decisions of the Mayor and City Council to affirm the decision of the Community Development Director or to overrule the decision of the Community Development Director and grant or continue the permit for which appeal is taken shall be reduced to writing and served upon the applicant in the same manner as the original notice to deny or notice of revocation. Such decision shall constitute a final determination by the City of Woodstock, Georgia.

- (j) In the event an applicant whose permit has been denied or a permit holder whose permit has been revoked is dissatisfied with the decision of the Mayor and Council, such applicant or permit holder may petition for Writ of Certiorari to the Superior Court as provided by law.
- (k) Any person commencing work on a Sign before securing the necessary Permit from the Community Development Department shall be subject to double Permit fees under the Permit fee schedule.

6.7.2. - Permit Expiration.

A Sign Permit shall become null and void if the Sign for which the Permit was issued has not been completed and installed within six (6) months after the date of issuance. No refunds will be made of permit fees for Permits that expire due to failure to erect a permitted Sign; provided that where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted Sign but the fabrication has not yet been completed, one (1) six-month extension may be granted by the Community Development Director on the duration of the permit. Where a permit has expired for failure to erect the Sign, if an individual later desires to erect a Sign at the same location, a new application must be processed and another fee paid in accordance with the fee schedule in effect at the time of resubmission.

6.7.3. - Display of Permit.

The owner of the Sign shall be responsible for maintaining the permit for every Sign constructed, erected or maintained for which a permit is required by this Ordinance. Such Permit shall be kept on the premises served by the Sign and shall be exhibited promptly upon request of city officers and employees. Additionally, the Sign Permit number shall be affixed to every Sign for which a Permit has been issued by the Sign company installing the Sign; such number shall be in no less than one-inch characters.

6.7.4. - Non-conforming Signs.

- (a) Signs that, on the effective date of this Ordinance, were approved and legally erected under previous Sign restrictions, and that became or have become a Non-conforming Sign with respect to the requirements of this Ordinance, may continue in existence subject to the remaining provisions of this section.
 - (1) No increase in size of the Non-conforming Sign shall be permitted.

- (2) Existing Signs which were legally erected and which have become Non-conforming and do not meet the setback requirements of this ordinance due to road widening may be moved to meet the setback requirement of this ordinance but shall not be increased in size, shape or changed in any manner except as to become conforming.
- (3) In all zoning districts, Signs which were:
 - a. Illegally erected or maintained with respect to prior ordinances;
 - b. Made of paper, cloth or non-durable materials (except standard informational Signs); or
 - c. Located in the public right-of-way (except as permitted by this Ordinance) shall be prohibited and shall be removed by the owner.
- (b) Upon failure to comply with any requirement of this Section, the Community Development Director or his authorized agent may cause the removal of such Sign at the expense of the owner.
- (c) A Non-conforming Sign shall not be replaced by another Non-conforming Sign, except that the substitution or interchange of poster panels, painted boards or demountable material on Nonconforming Signs shall be permitted.
- (d) Minor repairs and maintenance of Non-conforming Signs such as electrical repairs or lettering repair shall be allowed. However, no structural repairs or changes in the size or shape of the Sign shall be permitted except to make the Sign comply with the requirements of this Ordinance; provided that Signs damaged by fire or act of God may be restored to original condition.
- (e) Each Non-conforming Sign shall be registered within ninety (90) days of the enactment of this Ordinance by the Sign owner, and if it is determined that such Non-conforming Sign was legally erected under the prior ordinance, then a Sign Permit shall be issued to the Sign owner without charge and the Sign shall be marked with a permit decal. Should the owner of a Non-conforming Sign fail to register such Sign with ninety (90) days from the enactment of this Ordinance, such failure to register shall be deemed a violation of this Ordinance, and such person shall be subject to citation in Municipal Court.
- (f) Existing Signs on the property of newly annexed territory that were legally erected under the county ordinance which would become Non-conforming under this Ordinance upon annexation by the City shall be allowed to remain, provided such Sign shall be registered with the City within ninety (90) days of annexation.
- (g) The Community Development Director shall be responsible for enforcement of the provisions of this Section. Notices of violation shall be provided to the Sign owner in accordance with the requirements of Section 6.7.7.

6.7.5. - Inspections.

The Community Development Director or his designee shall periodically inspect each permanent and temporary conforming and Non-Conforming Sign in an attempt to ascertain whether the same is secure or insecure, and whether it is in compliance with the requirements of this Chapter or in need of repair. Responsibility for the safety of Signs and security of their attachment or erection remains at all times with the Sign Owner.

6.7.6. - Signs Requiring Removal.

- (a) Traffic hazards. Any Sign constituting a traffic hazard or a menace to the motoring public or pedestrians, as determined by the Community Development Director in consultation with the Chief of Police, shall be removed as provided in Section 6.7.7.
- (b) Abandoned Signs. Except as otherwise provided in this Chapter, any Sign that is located on property that becomes vacant and unoccupied for a period of three (3) months or longer, or any Sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent Signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. Sign panels from abandoned Signs shall be removed by the owner of the premises on which the Sign is located within the time frame specified in this subsection. The supporting structure of an abandoned Sign shall be subject to the Non-conforming use provisions of Section 6.7.4. It shall be considered adequate compliance with this Section for Sign panels and channel letters of abandoned Signs to be removed, provided the owner of the Sign or owner of the premises supplies a protective cover that protects exposed electrical components from exposure to the elements.
- (c) Dangerous, dilapidated or defective Signs. No person shall maintain or permit to be maintained on any premises owned or controlled by that person any Sign that is in a dangerous, dilapidated or defective condition. Any such Sign shall be removed or repaired by the owner of the premises or owner of the Sign. Upon failure of the owner to remove or repair a dangerous or defective Sign, the Community Development Director shall proceed as described in Section 6.7.7.

6.7.7. - Removal Procedure.

- (a) The Community Development Director shall cause to be removed any Sign that he determines endangers the public safety, such as an abandoned, dangerous, or electrically or structurally defective Sign or a Sign for which no permit has been issued or which is otherwise in violation of this Chapter. The Community Development Director shall prepare a written notice that shall describe the Sign and specify the violation involved. The notice shall state that if the Sign is not removed or the violation is not corrected within twenty (20) business days, the Sign shall be removed in accordance with the provisions of this Section.
- (b) All notices by the Community Development Director shall be personally served or sent by certified mail, return receipt requested. Any time periods provided in this section shall be deemed to commence on the date received if hand delivered or otherwise on the date delivered as shown upon the return receipt of the U.S. Postal Service.
- (c) The notice shall be mailed to the owner of the property on which the Sign is located, the owner of the Sign, and the occupant of the property. If any such person is unknown or cannot be found, notice shall be mailed to such person's last known address, if any, and posted on the Sign or on the premises.
- (d) Any person having an interest in the Sign or the property may appeal the determination of the Community Development Director ordering removal or compliance by filing a written notice of appeal with the City Manager within ten (10) business days after receipt of the notice. Appeals will be handled as provided in Section 6.7.1(i) and (j).

- (e) If the person to whom notice is directed fails to take corrective action within the time period prescribed, or if on appeal the City affirms the decision of the Community Development Director and the person fails to take corrective action or remove the offending Sign within the time period prescribed, then the Community Development Director shall proceed to have the Sign removed or corrected to bring such Sign into compliance with this chapter or to remove any unsafe condition.
- (f) When it is determined by the Community Development Director that the Sign would cause imminent danger to the public safety and contact cannot be made with the Sign owner or building owner, no written notice shall have to be served prior to removal. In such emergency situation, the Community Development Director shall document the unsafe condition and may correct the danger, with all costs being charged to the Sign owner or the property owner.
- (g) If it shall be necessary for the Community Development Director to remove the Sign pursuant to the provisions of this Section, and it should be practicable to sell or salvage any material derived in the removal, the Community Development Director may sell or salvage any material derived in the removal. He may sell the same at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds, if any, shall be used to offset the cost of removal to be charged to the Sign owner or property owner. Any proceeds in excess of the cost of removal shall be returned to the Sign owner, if known, or if unknown, shall be deposited in the City Treasury and maintained for benefit of the owner for a period of three (3) years. At the end of three (3) years, all unclaimed proceeds shall become the property the City. Where the proceeds derived from such sale are less than the costs of removal, such deficiency shall constitute a lien against the property on which the Sign is located. Such lien shall be collectable in the same manner as City property taxes.
- (h) Any Sign removed by the Community Development Director pursuant to the provisions of this Section shall become the property of the City and may be disposed of in any manner deemed appropriate by the City. The cost of removal of the Sign by the City shall constitute a lien against the property and shall be recoverable in the same manner as City property taxes. The cost of removable shall include any and all incidental expenses incurred by the City in connection with the Sign removal.

6.7.8. - Variances.

- (a) Variances from the regulations of this Chapter shall be limited to the following hardship situations:
 - (1) Where the proximity of existing Signs on adjoining lots causes the subject property to be ineligible, due to spacing requirements, for a Sign of the type sought; or
 - (2) Where visibility of a conforming Sign from the proposed street and within fifty (50) feet of the proposed Sign would be substantially impaired by existing trees, plants, natural features, Signs, buildings or structures on a different lot; and
 - a. Placement of the Sign elsewhere on the lot would not remedy the visual obstruction;
 - b. Such visibility obstruction was not created by the owner of the subject property; and
 - c. The variance proposed would not create a safety hazard to vehicular traffic or pedestrians.
- (b) Variances shall be limited to the minimum relief necessary to overcome the hardship. No variances shall be granted to allow a greater number of Signs than would be allowed if the hardship did not exist. No variance shall transfer to a new owner or occupant of the property.

- (c) Relief from the application of the provisions of this chapter by use of variances granted by the City shall be granted only upon a finding of hardship as previously defined. Hearing on such variances shall be noticed using this same time frames and notice requirements as for appeals under this chapter.